

House Bill No. 63

An act relating to disabled parking permits; amending s. 320.0848, F.S.; revising requirements for certification of disability; removing certain restrictions on certification of disability by an advanced registered nurse practitioner or a physician assistant; providing for disciplinary action for violation by certain certifying practitioners; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (b) and (c) of subsection (1) and subsection (9) of section 320.0848, Florida Statutes, are amended to read:

320.0848 Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.—

(1)

(b)1. The person must be currently certified as being legally blind or as having any of the following disabilities that render him or her unable to walk 200 feet without stopping to rest:

a. Inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive device, or without the assistance of another person. If the assistive device significantly restores the person's ability to walk to the extent that the person can walk without severe limitation, the person is not eligible for the exemption parking permit.

b. The need to permanently use a wheelchair.

c. Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or the person's arterial oxygen is less than 60 mm/hg on room air at rest.

d. Use of portable oxygen.

e. Restriction by cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.

f. Severe limitation in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.

2. The certification of disability which is required under subparagraph 1. must be provided by a physician licensed under chapter 458, chapter 459, or chapter 460, by a podiatric physician licensed under chapter 461, by an optometrist licensed under chapter 463, by an advanced registered nurse practitioner licensed under chapter 464 ~~in a facility operated by the United~~

~~States Department of Veterans Affairs~~ under the protocol of a licensed physician as stated in this subparagraph, by a physician assistant licensed under chapter 458 or chapter 459 ~~in a facility operated by the United States Department of Veterans Affairs, by the Adjudication Office of the United States Department of Veterans Affairs or its predecessor, or by a similarly licensed physician from another state if the application is accompanied by documentation of the physician's licensure in the other state and a form signed by the out-of-state physician verifying his or her knowledge of this state's eligibility guidelines.~~

(c) The certificate of disability must include, but need not be limited to:

1. The disability of the applicant; the certifying ~~practitioner's~~ physician's name and address; the ~~practitioner's~~ physician's certification number; the eligibility criteria for the permit; the penalty for falsification by either the certifying ~~practitioner~~ physician or the applicant; the duration of the condition that entitles the person to the permit; and justification for the additional placard pursuant to subsection (2).

2. The statement, in bold letters: "A disabled parking permit may be issued only for a medical necessity that severely affects mobility."

3. The signatures of:

a. The applicant's physician or other certifying practitioner.;

b. The applicant or the applicant's parent or guardian.;

c. The employee of the department's authorized agent which employee is processing the application.

(9) A violation of this section is grounds for disciplinary action under s. 458.331, s. 459.015, s. 460.413, ~~or~~ s. 461.013, s. 463.016, or s. 464.018, as applicable.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 14, 2005.

Filed in Office Secretary of State June 14, 2005.